

LAND SURVEYORS SECTION
Examining Board of Architects, Landscape Architects, Professional Geologists,
Professional Engineers, Designers and Land Surveyors
MINUTES
MADISON, WISCONSIN
FEBRUARY 4, 1999

PRESENT: Melvyn Hoffman, Robert Hoskins, John Margitan, James Rusch,

EXCUSED: Harold Kolb

STAFF PRESENT: Alfred Hall, Jan Bobholz; and Division of Enforcement staff were present for portions of the meeting.

GUESTS PRESENT: Frank Thousand, Wisconsin Society of Land Surveyors

CALL TO ORDER

The meeting was called to order at 9:37 a.m. by John Margitan, Chair. A quorum of four members was present.

AGENDA

Additions to the agenda: under Section Member Activity add election of officers; under New Business add Section Opinions.

MOTION: Melvyn Hoffman moved, seconded by James Rusch, to approve the agenda as amended. Motion carried unanimously.

MINUTES (11/12/98)

The minutes should be amended as follows: Administrative Rules, discussion of revising sec. A-E 6.05(3), Wis. Adm. Code, to Comply with sec. 443.06(2) Stats., under s. A-E 6.05(3)(c)2 Wis. Adm. Code, delete "and have at least 2 years of approved practice in land surveying"; under Examination Issues -" Motion carried unanimously" should be added to the motion.

MOTION: Melvyn Hoffman moved, seconded by Robert Hoskins, to approve the minutes as amended. Motion carried unanimously.

ADMINISTRATIVE REPORT

Secretary Cummins' Report

Secretary Marlene Cummings was not present. Alfred Hall introduced June Sulhing, Deputy Secretary to the Section.

Bureau Director's Report

• **Applications Approved by Delegation**

The Section was informed that the following applicants were issued a credential, based upon Staff Delegation:

APPLICATIONS REVIEWED ON JANUARY 26, 1999
For Registration as a Land Surveyor
By Comity - 3

GEMBALA, KENNETH D
STODDARD, KEITH W

VOGE, PAUL

- **Regulatory Digest Discussion**

Copy of draft will be sent to members.

- **To Pass Folder**

Information was circulated in the TO PASS folder and duly noted.

LEGISLATIVE UPDATE

Nothing to report at this time.

ADMINISTRATIVE RULES

Proposed Rule to Modify A-E 7.05 Maps to Correct Statutory Reference

Sections 59.61, Stats. and 59.60(2), Stats, have been renumbered. The Section's legal counsel will see if the change has been made by the Revisor of Statutes.

Revision of sec. A-E 6.05(3), Wis. Adm. Code, to Comply with Educational Requirements as Identified in sec. 443.06(2), Stats.

The Section requested that the educational requirements as stated under A-E 6.04(1)(a), Wis. Adm. Code, also be added to s. A-E 6.04(2), Wis. Adm. Code.

MOTION: Melvyn Hoffman moved, seconded by James Rusch to accept the draft as amended. Motion carried unanimously.

SECTION MEMBER ACTIVITY

Election of Officers

MOTION: Melvyn Hoffman moved, seconded by James Rusch, to nominate the current Chair, Vice-Chair, and Secretary for re-election to their respective offices. Motion carried unanimously.

1999 Wisconsin Society of Land Surveyors Seminar

John Margitan reported on his presentation to the Wisconsin Society of Land Surveyors. He will prepare an article for the Regulatory Digest.

NCEES

The delegate to the regional and national meeting will be James Rusch.

PRACTICE ISSUES

Department of Transportation Proposed Rules re: Approval of Preliminary and Final Plats Conditioned Upon Compliance with DOT Rules re: Safety of Entrance Upon and Departure from the Abutting State Trunk Highways or Connecting Highways and for the Preservation of the Public Interest and Investment in Such highways.

The Section noted that this rule became effective February 1, 1999.

DIVISION OF ENFORCEMENT

John Temby and Mike Berndt presented an update on the complaint handling process.

EXAMINATION ISSUES

Nothing to report at this time.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

Nothing to report at this time.

NEW BUSINESS

Section Opinions

Frank Thousand asked the section whether previous legal opinions issued by Wayne Austin were available. Section replied that legal opinions could be found in the meeting minutes and in past Regulatory Digests.

RECESS TO CLOSED SESSION

MOTION: Robert Hoskins moved, seconded by James Rusch, to convene the meeting in closed session pursuant to Sections 19.85(1)(b) and (f), Wis. Stats.: to consider the licensing or discipline of a person licensed by this Section or the investigation of charges against such a person. Specifically, to discuss the issue of case status reports, case closings, deliberations on stipulations that may be signed after printing of agenda, pending applications, examination issues and disciplinary proceedings. Motion carried by a roll call vote: John Margitan-yes Melvyn Hoffman-yes; Robert Hoskins-yes; James Rusch-yes;.

Open Session recessed at 11:00 a.m.

The Section received a copy of the Division of Enforcement Case Status Report.

The Section deliberated on issues relating to, case status reports, case closings, and pending applications.

RECONVENE IN OPEN SESSION

By consensus, Open Session reconvened at 12:38 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

DISCIPLINARY ACTION

MOTION: James Rusch moved, seconded by Melvyn Hoffman to close 98LSR013 for prosecutorial discretion with a letter of concern. Motion carried unanimously.

APPLICATION REVIEW

MOTION: Melvyn Hoffman moved, seconded by James Rusch, to approve the following applications reviewed by the Section on February 4, 1999. Motion carried unanimously.

FOR REGISTRATION AS A LAND SURVEYOR

By Comity - Approved - 1

KISCH, KURT M

MOTION: Melvyn Hoffman moved, seconded by Robert Hoskins, to approve the following applications reviewed by the Section February 4, 1999. Motion carried unanimously.

FOR REGISTRATION AS A LAND SURVEYOR

By Written Exam - Granted 7

FECHNER, CHRISTOPHER W
GWEKOH, ROLANDO C
MARION, BLAINE J
MARTY, MICHAEL S

MERTON, ROBERT A
MUELLER, JOHN T
OCONNELL, ANDREW L

MOTION: Melvyn Hoffman moved, seconded by James Rusch, to issue an intent to deny for INBODEN, ROGER B and WILLIAMS, DEAN A. Motion carried unanimously.

ADJOURNMENT

MOTION: Melvyn Hoffman moved, seconded by James Rusch, to adjourn the meeting at 12:50 p.m. Motion carried unanimously.

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